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Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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) Confirmation No.: 3739
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) Art Unit: 1618
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) Examiner: D. L. Jones
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement mailed October 6, 2005, Applicants provisionally elect with traverse Group I which encompasses Claims 1-4, 8-31 and 37-52, drawn to a probe composition wherein the targeting probe/first targeting probe is a nucleic acid, classified in class 424, subclass 1.73. Applicants further provisionally elect with traverse the species of a nucleic acid targeting probe with the relevant parameters as defined in the group of elected Claims 1-4, 8-31 and 37-52, in particular, a targeting probe comprising a nucleic acid, a detectable moiety comprising a metal detectable by MRI, a delivery ligand comprising a peptide, a biocompatible coating comprising a polymer, a second delivery ligand comprising an antibody, and a second detectable moiety comprising a material not detectable by MRI.

The restriction requirement is respectfully traversed on the basis that the examination of each of the groups of claims would not be an undue burden on the Patent Office because of their

I hereby certify that this correspondence is being deposited with the United States Postal Service addressed to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on November 7, 2005.

William L. Warren - Reg. No. 36,714

U.S. Serial No.: 10/694,243

Title: "Multifunctional Magnetic Nanoparticle Probes for Intracellular Molecular Imaging and Monitoring"

Filed: October 27, 2003

Response to Restriction Requirement of October 6, 2005

Page 2 of 2

close technological relationship. In particular, Applicants believe that claim 1 currently defines

an inventive unity among Groups 1-5 and 8, namely a nanoparticle probe composition for

facilitating molecular imaging or monitoring, comprising: a. a detectable moiety comprising a

magnetic nanoparticle having a biocompatible coating thereon; b. targeting probe attached to the

biocompatible coating; and c. a delivery ligand attached to the biocompatible coating. Further,

Applicants reserve the right to further examination of additional species upon an indication of

allowability for the elected species.

The foregoing is submitted as a full and complete response to the Restriction

Requirement mailed October 6, 2005. If there are any issues which can be resolved by telephone

conference, the Examiner is invited to call the undersigned attorney at (404) 853-8000.

No additional fees are believed to be due, however, the Commissioner is hereby

authorized to charge any additional fees due or credit any overpayment to Deposit Account No.

19-5029.

Respectfully submitted

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